

Michael S. Sorgen, Esq (SBN 43107)
Emily E. Arnold-Fernandez, Esq (SBN 237241)
LAW OFFICES OF MICHAEL S. SORGEN
240 Stockton Street, Ninth Floor
San Francisco, CA 94108
Telephone: (415) 956-1360
Facsimile: (415) 956-6342

Barry Vogel, Esq (SBN 60141)
LAW OFFICES OF BARRY VOGEL
P.O. Box 383
Ukiah, CA 95482
Telephone: (707) 462-6541
Facsimile: (707) 462-3253

Attorneys for Plaintiffs
JANE DOE
MARY ROE

UNITED STATES DISTRICT COURT
for the NORTHERN DISTRICT OF CALIFORNIA
San Francisco Division

JANE DOE and MARY ROE,
Plaintiffs,
vs.

**UNITED STATES OF AMERICA;
UNITED STATES MARINE CORPS;
GENERAL MICHAEL W. HAGEE,
COMMANDANT OF THE MARINE
CORPS; DEPARTMENT OF THE
NAVY; DONALD C. WINTER,
SECRETARY OF THE NAVY;
SERGEANT BRIAN FUKUSHIMA;
STAFF SERGEANT JOSEPH
DUNZWEILER; and DOES 1-10,**

Defendants.

CASE NO.: C 06 1777 MHP
E-FILING CASE

**STIPULATION AND [PROPOSED]
ORDER ALLOWING FILING OF
PLAINTIFFS' SECOND AMENDED
COMPLAINT**

WHEREAS plaintiffs inadvertently omitted to name the United States of America, the
proper defendant in a suit for damages under the Federal Tort Claims Act; and WHEREAS

Assistant United States Attorney Owen Martikan stipulated in open Court at the hearing on defendants' motion to dismiss on September 25, 2006 to the filing of the attached second amended complaint;

THE PARTIES HEREBY STIPULATE and request that the Court approve plaintiffs' filing of the second amended complaint.

Dated: November 17, 2006

Respectfully submitted,

By: /s/ - Michael S. Sorgen
BARRY VOGEL
MICHAEL S. SORGEN
Attorneys for Plaintiffs

/s/ - Owen P. Martikan
OWEN P. MARTIKAN
Assistant United States Attorney
Attorney for Defendants

BASED ON THE AFORESAID STIPULATION, IT IS SO ORDERED.

Dated: November 24, 2006

